

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: BEXTRA AND CELEBREX
MARKETING SALES PRACTICES AND
PRODUCT LIABILITY LITIGATION

MDL Docket No. 1699
Judge Charles R. Breyer

This document relates to:

BRUCE NAZAROVICH,

Plaintiff,

v.

PFIZER, INC., PHARMACIA
CORPORATION, and G.D. SEARLE LLC,
(FKA G.D. SEARLE & CO.),

Defendants.

**STIPULATION AND ORDER OF
PARTIAL DISMISSAL WITHOUT
PREJUDICE OF CASE NO. 3:06-CV-
03369-CRB**

STIPULATION AND ORDER OF PARTIAL DISMISSAL WITHOUT PREJUDICE

IT IS HEREBY STIPULATED AND AGREED by and between the following
specific Plaintiff, Bruce Nazarovich ("Plaintiff"), and Defendants Pfizer, Inc., Pharmacia
Corporation and G.D. Searle LLC (FKA G.D. Searle & Co.) ("Defendants"), to a dismissal
without prejudice of the following Plaintiff's claims which were filed in a
consolidated, multi-plaintiff Complaint against Defendants:

1. Plaintiff is Bruce Nazarovich; Defendants are Pfizer, Inc., Pharmacia
Corporation, and G.D. Searle LLC (FKA G.D. Searle & Co.);
2. On April 26, 2006, Plaintiff sued Defendants;
3. Plaintiff moves to dismiss his claims without prejudice against Defendants;
4. Defendants have not answered these claims;

1 5. This case is not a class action;

2 6. A receiver has not been appointed to this action;

3 7. Plaintiff has not dismissed an action based on or including the same
4 claims as those present in this suit.

5 8. This dismissal is voluntary and not on the merits.

6 9. Should Plaintiff or a representative of Plaintiff re-file this claim against
7 Defendants, he shall do so only by filing said claims in MDL-1699 In Re Bextra and Celebrex
8 Marketing and Sales Practices and Product Liability Litigation, located in the Northern District of
9 California.

10 10. This voluntary dismissal does not affect any claims, counterclaims or issues
11 by and between Defendants and Plaintiff with respect to his action against Defendants for his
12 Celebrex-related injury. (Master Docket MDL 1699/Case Number 3:06-cv-02849-CRB).

13 This Stipulation and Order, however, is a partial dismissal in that it does not affect
14 any claims, counterclaims or issues by and between Defendants and the following
15 remaining Plaintiffs:

16 1. Donald L. Leavenworth, individually and on behalf of Mary C.
17 Leavenworth, deceased;

18 2. Ross Meier

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

1 Respectfully submitted:

2
3 Dated: June 28, 2006

GANCEDO & NIEVES, LLP

4
5 By: 

Christopher W. Taylor, Esq.

6 Hector G. Gancedo (SB# 132139)
7 hgancedo@gancedonieves.com
8 Tina B. Nieves (SB# 134384)
9 tnieves@gancedonieves.com
10 Christopher W. Taylor (SB# 236245)
11 chris@gancedonieves.com
12 GANCEDO & NIEVES LLP
13 144 W. Colorado Boulevard
14 Pasadena, California 91105
15 Telephone: (626) 685-9800
16 Facsimile: (626) 685-9808

Attorneys for Plaintiffs

17
18
19
20
21
22
23
24
25
26
27
28 Dated: August 8, 2006

GORDON & REES

By: 

Stuart M. Gordon, Esq.

Embarcadero Center West
275 Battery Street 20th Floor
San Francisco, California 94111
(415) 986-5900 (Tel.)
(415) 986-8054 (Fax)

Defendants' Liaison Counsel

ORDER

WHEREFORE, the parties hereto stipulate to the dismissal of the claims of Plaintiff Robert Nezarez in the above-styled lawsuit without prejudice to re-filing, subject to the conditions stated above.

SAN FRANCISCO, CALIFORNIA, this 14th day of August, 2006.

HON. CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE

